

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION

MIKHAIL DAVITASHVILI

PLAINTIFF

V.

NO. 2:08CV190-B-D

M. YOUNG, et al.

DEFENDANTS

ORDER OVERRULING OBJECTIONS and ADOPTING
REPORT AND RECOMMENDATION

The plaintiff, an inmate proceeding pro se, filed this complaint pursuant to 42 U.S.C. § 1983. The plaintiff's complaint included a claim for denial of adequate medical care. Defendant Dr. Whitman Johnson has filed a motion for summary judgment. The Magistrate Judge submitted a report recommending that Dr. Johnson's motion be granted. The Magistrate Judge also recommends that defendant Dorothy Strong, R.N., also be dismissed with prejudice. The plaintiff has filed objections to the report and recommendation. The court finds that for reasons stated in the Report and Recommendation dated May 3, 2010, the plaintiff's objections are not well taken.

In a separate report, the Magistrate Judge also recommended that the plaintiff's motion for preliminary injunction be denied. No objections have been filed regarding the Report and Recommendation dated May 17, 2010.

THEREFORE, it is hereby ORDERED that

(1) the plaintiff's objections to the Report and Recommendation of the United States Magistrate Judge are OVERRULED;

(2) the Report and Recommendation dated May 3, 2010, (docket entry 108) is APPROVED and ADOPTED as the opinion of this court;

(3) defendant Dr. Johnson's motion for summary judgment (docket entry 56) is GRANTED;

(4) defendants Dr. Johnson and Dorothy Strong, R.N., are DISMISSED;

(5) the Report and Recommendation dated May 17, 2010, (docket entry 111) is APPROVED AND ADOPTED as the opinion of the court;

(6) the motion for preliminary injunction (docket entry 90) is DENIED; and
(7) this matter shall proceed as to the remaining defendants and claims.

SO ORDERED, this the 22nd day of June, 2010.

s/Neal Biggers

NEIL B. BIGGERS
SENIOR U.S. DISTRICT JUDGE